

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

KOBRE & KIM LLP,

Plaintiff,

- - -

COMMODITY FUTURES TRADING
COMMISSION,

Defendant.

Case No. 19-cv-10151 (LAK) (OTW)

**SUPPLEMENTAL DECLARATION OF BENJAMIN J.A. SAUTER IN SUPPORT OF
PLAINTIFF'S CROSS-MOTION FOR SUMMARY JUDGEMENT**

Pursuant to 28 U.S.C. § 1746, I, Benjamin J.A. Sauter, hereby declare:

1. I am a Partner at Kobre & Kim LLP and am counsel for Plaintiff Kobre & Kim LLP in the above-captioned matter. I am submitting this declaration in further support of Kobre & Kim's Cross-Motion for Summary Judgement.

2. Attached hereto as **Exhibit A** is a true and correct copy of Kobre-Kim-CFTC-0000015 to Kobre-Kim-CFTC-0000016, as it was produced by the CFTC to Kobre & Kim.

3. Attached hereto as **Exhibit B** is a true and correct copy of Kobre-Kim-CFTC-0004421 to Kobre-Kim-CFTC-0004422, as it was produced by the CFTC to Kobre & Kim.

4. Attached hereto as **Exhibit C** is a true and correct copy of Kobre-Kim-CFTC-0000009 to Kobre-Kim-CFTC-0000013, as it was produced by the CFTC to Kobre & Kim.

Executed on December 21, 2020, in New York, New York.

/s/ Benjamin J.A. Sauter
Benjamin J.A. Sauter

KOBRE & KIM LLP
800 Third Avenue
New York, New York 10022
Tel: +1 212 488 1200
Benjamin.Sauter@kobrekim.com